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SUBJECT: SIXTH COMMITTEE DEBATES AND ADOPTS RESOLUTION ON  
CRIMINAL ACCOUNTABILITY OF UN OFFICIALS

[¶1.](#) Summary: The Sixth Committee concluded debate on Agenda Item 78: Criminal Accountability of U.N. Officials and Experts on Mission with twenty-two Member States delivering interventions on the subject. The major issue boils down to whether an international convention is needed to ensure no judicial gaps exist or whether the responsibility should reside with states. Additionally, there is a question as to whether any gap exists to begin with. On November 12, the Committee recommended by consensus to the General Assembly adoption of a resolution on criminal accountability that defers addressing the issue until the 67th UNGA. End Summary.

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REGIONAL INTERVENTIONS  
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[¶2.](#) Australia, representing Canada, Australia, and New Zealand (CANZ), called on Member States to close the jurisdictional gap by establishing jurisdiction over serious crimes committed by their nationals while serving as U.N. official or experts on mission. CANZ advocated the Secretariat's proposal for a convention requiring States to exercise criminal jurisdiction over their nationals participating in U.N. operations abroad.

[¶3.](#) Sweden, on behalf of the European Union (EU), reaffirmed its support for the U.N.'s zero tolerance policy regarding sexual exploitation and sexual abuse. It noted the jurisdictional gaps that exist regarding U.N. officials serving overseas and also proposed an international convention as a long term measure to address this gap.

[¶4.](#) Mexico, speaking for the RIO Group, urged the United Nations to enforce a zero tolerance policy and asked for more detailed information on the criminal acts, such as statistics, from the Secretariat. It noted that the terminology in the Spanish version was incorrect.

[¶5.](#) Egypt, on behalf of the African Group, stressed the importance of criminal accountability to the Group as there are a high number of U.N. officials serving in Africa. Egypt urged Member States to fully implement resolutions 62/63 and 63/119 and called on these States to establish jurisdiction over crimes of a serious nature committed by their nationals while serving as U.N. officials or experts on mission.

[¶6.](#) Iran, representing the Non-Aligned Movement (NAM), called for the implementation of resolutions 61/291, 62/63, and 63/119. The NAM commented that it was still premature to discuss a draft convention on the criminal accountability of U.N. officials and experts on mission. The NAM said it was looking forward to receiving more information on the problem before taking further measures.

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COMMON THEMES

17. All of the interventions commented that all U.N. staff must be held accountable for crimes committed while on mission with most countries (e.g. Jordan, Indonesia, Nigeria, and the Democratic Republic of Congo) supporting the "zero tolerance" policy of the United Nations. Several Member States noted that jurisdictional gaps exist (notably Switzerland, Russia, and South Africa) but there was no agreement as to how this should be corrected. Several delegations, mostly European, called for an international convention on criminal accountability to address these gaps. Other Member States (Malaysia, China, Russia, and the United States) observed that a convention would be premature at this point. Some of these delegations urged States to adopt national legislation to establish jurisdiction to address the issue. Most delegations (e.g. Jordan, Russia, South Africa, and the United Arab Emirates) agreed, however, that more data and statistics were needed on the issue in order to properly address it. Several Member States noted their countries' efforts to train their personnel sent on U.N. missions

18. The United States welcomed the Secretary-General's report on the criminal accountability of U.N. officials and experts on mission and highlighted the importance of the issue to the United States. LegOff noted that the United States believed that at this point, an international convention on criminal accountability was not the most efficient or effective means to ensure accountability.

19. On November 12, the Sixth Committee recommended by

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consensus to the General Assembly the adoption of a resolution on criminal accountability. For the most part, the resolution repeated and reaffirmed recommendations from past resolutions 62/63 and 63/119. After weeks of negotiation, language concerning recommending an international convention on criminal accountability was dropped.  
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